

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT
OF TEXAS WACO DIVISION**

Q TECHNOLOGIES, INC.,)	
)	
Plaintiff,)	Case: 6:21-cv-00779-ADA
v.)	
)	Judge Alan D. Albright
WALMART INC.,)	
)	DEMAND FOR JURY TRIAL
Defendant.)	

JOINT MOTION TO AMEND SCHEDULING ORDER

Plaintiff Q Technologies, Inc. (“Q Tech”) and Defendant Walmart Inc. (“Walmart”) (collectively the “Parties”) hereby file this Joint Motion to Amend the Scheduling Order, Dkt. No. 72.

1. The Parties are in agreement with the proposed extensions of deadlines as outlined in Exhibit A, which will allow a limited amount of additional time to complete fact discovery and to allow proper time to process and digest the results of such discovery prior to the deadline for expert discovery.
2. The Parties seek these extensions of time not for delay, but for good cause so that justice may be served. The parties agree that neither party will use the extension to argue that another party has caused delay or other prejudice. Under the current schedule, certain conflicts and inability to schedule certain depositions has arisen and the jointly proposed schedule will allow depositions to be taken in due course. Both parties agree that the amended deadlines in Exhibit A are necessary and proper to efficiently move forward with this litigation.
3. The Final Pretrial Conference and Trial dates will not be altered by the extensions of the other deadlines.

WHEREFORE the Parties respectfully request that the Court enter the requested agreed dates.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on February 20, 2023, I electronically filed the forgoing with the Clerk of the Court using the CM/ECF system, which will send notification if such filing via electronic mail to all counsel of record.

/s/Glenn S. Orman
Glenn S. Orman

EXHIBIT A**IN THE UNITED STATES DISTRICT
COURT FOR THE WESTERN DISTRICT
OF TEXAS WACO DIVISION**

Q TECHNOLOGIES, INC.,)	
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Plaintiff,)	Case: 6:21-cv-00779-ADA
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AGREED SCHEDULING ORDER

Deadline	Item
3/31/2023	Close of Fact Discovery.
4/10/2023	Opening Expert Reports.
5/22/2023	Rebuttal Expert Reports.
6/12/2023	Deadline for the second of two meet and confers to discuss narrowing the number of claims asserted and prior art references at issue to triable limits. To the extent it helps the parties determine these limits, the parties are encouraged to contact the Court's Law Clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer.
6/13/2023	Close of Expert Discovery.
6/19/2023	Dispositive motion deadline and <i>Daubert</i> motion deadline. See General Issues Note #9 regarding providing copies of the briefing to the Court and the technical adviser (if appointed).
6/20/23	Confirm Trial and Pretrial Dates: 8 weeks before trial, email the law clerk to confirm your trial and pretrial dates.

7/3/2023	Serve Pretrial Disclosures (jury instructions, exhibits lists, witness lists, discovery and deposition designations).
7/17/2023	Serve objections to pretrial disclosures.
7/24/2023	Serve objections to rebuttal disclosures.
7/24/2023	File motions <i>in limine</i> .
8/7/2023	File Joint Pretrial Order and Pretrial Submissions (jury instructions, exhibits lists, witness lists, discovery and deposition designations).
8/7/2023	File oppositions to motions <i>in limine</i> .
8/7/2023	File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Kristie Davis at kmdaviscsr@yahoo.com .
08/7/2023	Deadline to meet and confer regarding remaining objections and disputes on motions <i>in limine</i> .
08/18/2023	Joint Notice - File joint notice identifying remaining objections to pretrial disclosures and disputes on motions <i>in limine</i> .
09/04/2023	Pending Motions - Two weeks before the Pretrial Conference, the parties shall jointly contact the Court's law clerk for a Box link to submit unredacted copies of all pending motions and their exhibits to chambers. At the same time, the parties shall jointly send paper copies of the unredacted pending motions, double-sided and without exhibits, to chambers. The parties shall also jointly send a courtesy email to TXWDml_LawClerks_JudgeAlbright@txwd.uscourts.gov providing the clerks with a list all pending motions by docket number and movant.
09/04/2023	Motions <i>in Limine</i> - Two weeks before the Pretrial Conference, the parties shall jointly email to TXWDml_LawClerks_JudgeAlbright@txwd.uscourts.gov a text-editable chart listing each motion <i>in limine</i> with space beside each motion <i>in limine</i> for the Judge to write in each ruling. The chart shall first list all of Plaintiff's motions <i>in limine</i> , followed by Defendant's motions <i>in limine</i> . After the Pretrial Conference, the parties shall jointly email their understandings of the rulings to the law clerks.
9/18/2023	Final Pretrial Conference.

10/2/2023	Jury Selection/Trial.
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SIGNED this _____ day of _____, 2023.

HONORABLE ALAN D. ALBRIGHT
UNITED STATES DISTRICT JUDGE